

DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT

Solid Waste Management Facility Permit

Permit: SW-662

Full Circle Organics - Good Thunder Composting

Action: PER001

In accordance with Minn. Stat. Chs. 115, 115A, and 116, and Minn. Rules Chs. 7000, 7001, and 7035, the Minnesota Pollution Control Agency (MPCA) hereby issues this permit and authorizes the permittee(s) listed on the following page to construct and operate the Full Circle Organics - Good Thunder Composting, SW-662 under the conditions set forth in this permit.

The facility consists of 10 acres located in: Township 106 N, Range 27 W, Section 1, Blue Earth County, in the MPCA Rochester Region. The facility includes the following waste activity area(s):

Solid Waste Composting Area

MC001

The determination to issue this permit is discretionary with the MPCA and was made subsequent to MPCA staff review of the permit application. The term commissioner, as used in this permit, refers to the MPCA Commissioner or MPCA personnel who have been delegated explicit authority by the commissioner. Other terms used in this permit are defined in Minnesota Statutes, the MPCA Solid Waste Management Rules, or specifically defined in this permit.

Permit Issuance Date: _____

Permit Expiration Date: _____

Minnesota Pollution Control Agency

Paula J. Connell, P.E.

Supervisor, Solid Waste Permitting Unit

Prevention and Solid Waste Management Section

Resource Management and Assistance Division

Solid Waste Management Facility Permit
Full Circle Organics - Good Thunder Composting

Permit: SW-662
Action: PER001

The following permittee(s) are authorized to construct and operate the Full Circle Organics - Good Thunder Composting, SW-662 under the conditions set forth in this permit.

Permittee Activity Owner/Operator:

Max Milinkovich
Full Circle Organics, LLC

Address:

5029 13th Ave S
Minneapolis, MN 55417

Permittee Land Owner:

Kevin Fitzsimmons
MFS Farms, Inc.

Address:

56437 164 St
Good Thunder, MN 56037

DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT

1. TOTAL FACILITY

1.1 General

1.1.1 Definitions

- 1.1.2 "Commissioner" means the commissioner of the Minnesota Pollution Control Agency, or any individual who is authorized to review and approve submittals on behalf of the commissioner.
- 1.1.3 "Design Capacity" means the maximum estimated potential volume managed by the facility. "Design capacity" is used only for planning purposes and is distinct from permitted capacity. "Design capacity" is an estimate dependent on the existing landholdings of the permittee, existing regulations that affect development and design (including required buffer areas, storm water management requirements, and slopes), engineering designs, and site developmental plans.
- 1.1.4 "Facility" has the meaning given in Minn. R. 7035.0300, subp. 37.
- 1.1.5 "Permitted Capacity" means the total airspace volume in cubic yards allowed for disposal at the facility under the most recently issued permit. It includes airspace already filled by previous disposal activities, before the start of the permit; estimated fill volumes to be used during the five-year term of the current permit, including cover systems; and may also include estimated fill volumes and cover systems that would be used during an additional "follow-on" period extending up to five years past the current permit's expiration date, provided that the permittee has submitted detailed engineering plans for the use and closure of that follow-on disposal space.
- 1.1.6 "Permittee" means the landowner, facility owner(s), and facility operator(s).
- 1.1.7 "Waste Activity" means the storage, processing, transfer, utilization, treatment, or disposal of solid waste and waste by-products.
- 1.1.8 "Waste Activity Area" means the land, structures, monitoring devices, and other appurtenances and improvements on the land associated with a waste activity.

1.1.9 Waste Activities

- 1.1.10 The facility waste activities authorized by this permit are limited to those activities described in the Waste Capacity Table of this permit.

1.1.11 Permit Compliance

- 1.1.12 The permittee shall keep the status of the permit current and up-to-date.
- 1.1.13 The permittee shall perform the actions or conduct the activity authorized by the permit in accordance with the plans and specifications approved by the agency, in accordance with all state and federal statutes, rules and regulations, and in compliance with the conditions of the permit.

1.1.14 Location

- 1.1.15 The Facility encompasses approximately 10 acres and is located in the NE ¼ of the SW ¼, Sec.1, T 106 N, R 27 W, Lyra Township, Blue Earth County. The Facility is located off of 563rd Avenue - County Rd. 165, approximately 7 miles northeast of Good Thunder, Minnesota.

1.1.16 Facility History

DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT
TOTAL FACILITY

General

- 1.1.17 The permit application for the proposed source separated organic composting facility is a new facility with no previous history.

1.1.18 General Facility Description

- 1.1.19 The property is located in Lyra Township, Blue Earth County, Minnesota, on 10 acres owned by MFS Farms, Inc. (MFS). The proposed Permittee and operator is Full Circle Organics, LLC. The facility capacity is proposed as 110 tons per day, or 25,000 tons per year, of source-separated compostable material (SSCM). Sources of SSCM include: food waste (both liquid and solid), paper waste, garden waste, and animal bedding. The Permittee proposes mixing yard waste and wood chips with the SSCM.

Compost material will be received in the mixing building. Liquid food waste will be stored in a 20,000-gallon underground storage tank. Liquid from the tank will be used in the mixing process and the active composting process. Excess liquid from the mixing process will be collected in a 20,000-gallon underground leachate storage tank, and reused in the mixing process.

Compost material will be received in the mixing building, and combined with yard waste and other organic material until the appropriate blend is reached. Once the batch reaches 55 degrees Celsius (131 degrees Fahrenheit), the batch will be relocated to the composting pad. It will remain there until it has completed the active compost process (i.e., process to further reduce pathogens), and it also reaches maturity. It will then be screened and stored on the final product storage pad.

- 1.1.20 All stormwater from the compost pad in this area will be directed to a pond designed to manage back-to-back 100-year, 24-hour storm events. No discharge is designed for this pond. When compost has reached maturity, it will be relocated to the finished compost pad. Stormwater from the finished compost pad is directed to a stormwater pond on the north side of the facility. The discharge from this pond will be directed to a tile line and ditch north of the facility. The ditch drains to an unnamed creek, then west, ultimately into the Maple River, approximately 4,500 feet from the project area.

1.1.21 Environmental Review

- 1.1.22 In accordance with Minn. R. 4410.4300, subp. 17, an environmental review for this project is not required.

1.1.23 Variances

- 1.1.24 No variances are being requested as part of the proposed permit application.

1.1.25 Required Notices

- 1.1.26 The permittee must notify the MPCA before transferring ownership or operation of a solid waste management facility during its operating life or during postclosure care period in accordance with Minn. R. 7035.2535, subp. 2.

DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT
TOTAL FACILITY

1.2 Permit Documents

1.2.1 Approved Plans

1.2.2 The approved plans and engineering documents are incorporated into this permit. In addition, once approved by the commissioner, the permittee shall comply with all submittals that are submitted in accordance with the terms of this permit. In all cases where the permit and the plans or submittals differ, the requirements of the permit shall govern over a condition in the plan or submittal. The approval by the commissioner of the plans and specifications shall not release the permittee from any present or subsequent requirements of statutes, rules, regulations, or ordinances.

1.2.3 Permit Application

1.2.4 The permit application approved by this permit is signed and dated December 21, 2011.

1.2.5 Engineering Documents

1.2.6 The engineering documents submitted by MFRA, Inc., dated November, 2011, and subsequently revised in December 2011, and February 2012, approved by this permit include, but are not limited to:

1. Operations and Maintenance Manual
2. Construction Documentation
3. Environmental Monitoring Plan
4. Closure/Postclosure Plan
5. Contingency Plan
6. Engineering Plans/Drawings

Correspondence submitted by MFRA, Inc., dated March 5, 2012, and April 25, 2012.

1.2.7 Revised Plans

1.2.8 Any revised plans shall be submitted for approval by the commissioner. The permittee shall obtain approval from the commissioner on all revised engineering plans prior to construction of the affected portion of the facility.

1.3 Design and Construction Criteria

1.3.1 Location Standards

1.3.2 The permittee may not locate, establish, or construct a solid waste management facility in areas designated in Minn. R. 7035.2555.

1.3.3 Groundwater Quality, Surface Water Quality, Air Quality, and Soil Protection

1.3.4 The permittee must construct the facility to prevent pollution of groundwater and surface water, minimize the contamination of soils from solid waste, and maintain the facility in conformance with MPCA air pollution control rules in accordance with Minn. R. 7035.2565. The permittee must design any proposed future expansions of the facility in accordance with this rule.

1.3.5 Storage Standards

DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT
TOTAL FACILITY

Design and Construction Criteria

- 1.3.6 The permittee must construct the waste activity area where solid waste is stored in accordance with Minn. R. 7035.2855 except as provided in, subp. 1 and Minn. R. 7035.2525, subp. 2.

1.3.7 Stormwater Management System

- 1.3.8 The permittee must construct the stormwater management system for the facility with Best Management Practices to manage stormwater discharge in accordance with the National Pollutant Discharge Elimination System/State Disposal System (NPDES/SDS) Permit for the discharge of stormwater associated with an industrial activity and/or a construction activity. The issuance of this permit does not release the permittee from the obligation to obtain an NPDES/SDS permit.

1.3.9 Construction Plan

- 1.3.10 The permittee must submit a construction plan to the commissioner for approval prior to construction if the construction plan proposes any major revisions to the approved design.

1.3.11 Construction Notification

- 1.3.12 The permittee must notify appropriate MPCA staff at least ten (10) working days in advance of the construction of the facility or any component thereof unless the commissioner orders otherwise.

1.3.13 Construction Certification

- 1.3.14 The permittee must submit a construction certification for approval by the commissioner in accordance with Minn. R. 7035.2610. A facility waste activity or any new design feature must not be placed into operation until the construction certification has been approved by the commissioner.

1.3.15 Alterations and Additions

- 1.3.16 The permittee shall not make any major alterations or additions to the facility that would materially alter the manner in which waste is managed without first obtaining the written consent of the commissioner.

1.4 Operating and Maintenance Criteria

1.4.1 Trained / Certified Operator

- 1.4.2 The permittee must ensure that the required number of operators, trained or certified under Minn. R. 7035.2545 and Minn. R. 7048.0100 to 7048.1300, are present and on duty at all times that the facility is open for the purpose of receiving waste.

1.4.3 Personnel Training

- 1.4.4 The permittee must establish and maintain a personnel training program consisting of classroom instruction and on-the-job training. The program must address the requirements identified in Minn. R. 7035.2545, subp. 3, and must include the specific training necessary to perform the tasks associated with each solid waste management area within the facility. The permittee must maintain a record of all personnel training and submit the dates of training in the annual report.

DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT
TOTAL FACILITY

Operating and Maintenance Criteria

1.4.5 Operations Manual

- 1.4.6 The permittee must prepare and maintain an operations and maintenance manual for the facility. The manual must include operations and maintenance criteria that are specific to each solid waste management area within the facility.

1.4.7 Security

- 1.4.8 The permittee must prevent unauthorized entry onto the facility in accordance with Minn. R. 7035.2535, subp. 3. In addition, the permittee shall post a sign at the entrance of the facility and each waste activity area showing the facility name, MPCA permit number, hours of operation, the acceptable waste, and any other relevant information.

1.4.9 Roads

- 1.4.10 The permittee must construct and maintain all-weather approach and access roads to all waste activity areas within the facility.

1.4.11 Storage of Solid Waste

- 1.4.12 The permittee must provide satisfactory storage for all solid waste accumulated at the facility in accordance with Minn. R. 7035.0700 and Minn. R. 7035.2855.

1.4.13 Nuisance Conditions

- 1.4.14 The permittee must keep the facility grounds and immediately adjacent property free of litter stemming from the facility operations. The facility grounds and adjacent property shall be inspected and cleared of all litter at least once per week.
- 1.4.15 The permittee must manage the facility to be in compliance with Minn. R. 7011.0150 to prevent particulate matter from becoming airborne.
- 1.4.16 The permittee must manage all free liquids that have come in contact with solid waste so that the liquids are not discharged as storm water.
- 1.4.17 The permittee must provide effective measures to control flies, rodents and other insects or vermin as necessary.

1.4.18 Collection and Transportation of Solid Waste

- 1.4.19 The permittee must provide for the proper collection and transportation of solid waste in accordance with Minn. R. 7035.0800.

1.4.20 Unacceptable Wastes

- 1.4.21 The permittee must not accept the wastes identified in Minn. R. 7035.2535, subp. 1 for treatment, storage, processing, or disposal.

1.4.22 Industrial Solid Waste

- 1.4.23 The permittee must manage industrial solid waste for each waste activity as specified in the approved plan in accordance with Minn. R. 7035.2535, subp. 5. The permittee must include the information required by Minn. R. 7035.2575, subp. 2, items B and C in the annual report for each industrial waste accepted at the facility.

1.4.24 Household Hazardous Waste

DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT
TOTAL FACILITY

Operating and Maintenance Criteria

- 1.4.25 The permittee must manage household hazardous waste management for each waste activity as specified in the approved plan in accordance with Minn. R. 7035.2535, subp. 6.

1.4.26 Stormwater Management System

- 1.4.27 The permittee must operate and maintain the stormwater management system for the facility with Best Management Practices to manage stormwater discharges in accordance with the National Pollutant Discharge Elimination System/State Disposal System (NPDES/SDS) Permit for the discharge of stormwater associated with an industrial activity and/or a construction activity.

1.4.28 Groundwater Quality, Surface Water Quality, Air Quality, and Soil Protection

- 1.4.29 The permittee must operate and maintain the facility to prevent pollution of groundwater and surface water, minimize the contamination of soils from solid waste, and maintain the facility in conformance with MPCA air pollution control rules in accordance with Minn. R. 7035.2565.

1.4.30 Emergency Equipment

- 1.4.31 The permittee must provide and maintain adequate emergency equipment at the facility to control accidental fires, and make arrangements with the local fire protection agency to immediately acquire their services when needed. The permittee must also provide adequate communications equipment for emergency purposes.

1.4.32 Operating Record

- 1.4.33 The permittee must keep a written operating record at the facility in accordance with Minn. R. 7035.2575.

1.4.34 Self Inspections

- 1.4.35 The permittee must inspect the facility in accordance with the schedule and items approved by the commissioner as defined by Minn. R. 7035.2535, subp. 4. The permittee must record inspections in an inspection log or summary and must keep these records for at least five years.

1.4.36 Emergency Procedures Manual

- 1.4.37 The permittee must maintain a copy of the approved emergency procedures manual at the facility for facility personnel to use in time of emergency.

1.4.38 Contingency Action Plan

- 1.4.39 The permittee must maintain a copy of the approved contingency action plan at the facility.

1.4.40 Closure Plan

- 1.4.41 The permittee must maintain a copy of the approved facility closure plan, and all revisions to the plan, at the facility until closure is completed and certified in accordance with Minn. R. 7035.2635.

1.4.42 Postclosure Plan

DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT
TOTAL FACILITY

Operating and Maintenance Criteria

- 1.4.43 The permittee must maintain a copy of the approved postclosure care plan, and all subsequent amendments, until the postclosure care period begins. During the postclosure care period, the plan must be kept by the contact person identified in Minn. R. 7035.2645, subp. 2, item C.

1.5 Reporting Criteria

1.5.1 Annual Facility Report

- 1.5.2 The permittee must submit an annual facility report for the preceding calendar year in accordance with Minn. R. 7035.2585. When required of a waste activity, the report must include summary evaluation reports and specific annual reporting requirements. The permittee must submit the report to the commissioner according to the schedule in the Required Actions and Submittals Table(s) of this permit.

1.5.3 Electronic Data Reporting

- 1.5.4 The permittee must submit an electronic copy of all water quality monitoring data including groundwater, leachate and field data for each monitoring event. Electronic data must be submitted in the format outlined in the MPCA Solid Waste Program Electronic Laboratory Data Submittal Manual which can be found on the MPCA Solid Waste Permitting webpage at <http://www.pca.state.mn.us/waste/swpermits.html#data>. The schedule for submitting electronic copies of monitoring data shall follow the schedule outlined for monitoring reports as identified in the Required Actions and Submittals Table(s) of this permit.
- 1.5.5 The permittee must submit a paper copy of all water monitoring reports as outlined in the Required Actions and Submittals Table(s) of this permit unless otherwise specifically directed by the commissioner.

1.5.6 Monitoring Station Location Information

- 1.5.7 The permittee must collect location and elevation data for all monitoring points. Location data must be submitted in latitude/longitude coordinates and the datum used must be identified. Elevation data for monitoring wells must include the elevation of the riser pipe and ground surface. The depth of wells from the riser pipe must also be identified. If existing data is being reported the surveying method and datum used to collect this information must be identified.

1.6 Contingency Action Criteria

1.6.1 Contingency Action Plan

- 1.6.2 The permittee must address all facility waste activities as specified in the approved plans and specifications, and in accordance with Minn. R. 7035.2615.
- 1.6.3 If a fire occurs in the waste deposit area, the permittee shall immediately implement its contingency action plan to extinguish the fire.

DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT
TOTAL FACILITY

Contingency Action Criteria

1.6.4 Within 24 hours of discovery of the fire, the permittee must provide notice to the MPCA that a fire has occurred and that the contingency action plan has been implemented. If the permittee has not extinguished the fire within two weeks of notice, the permittee shall again notify the MPCA and shall provide the name of the professional engineer that their permittee has hire to develop a revised plan for further fire fighting efforts. The permittee must submit the revised plan to the MPCA for review and approval within 15 days of the notice to the MPCA that a revised plan is being prepared. To be approved, their revised plan must identify the action that will be taken to extinguish that fire, including sources for materials and equipment and a timeline for implementation, and must be signed by a registered professional engineer. The permittee must implement the revised plan upon approval by the MPCA.

1.6.5 Contingency Action Procedures

1.6.6 The permittee must implement the actions necessary to comply with the contingency action requirements in accordance with Minn. R. 7035.2615.

1.6.7 Emergency Preparedness and Prevention

1.6.8 The permittee must maintain and operate a facility to minimize the possibility of a fire, explosion, or any release to air, land, or water of pollutants that threaten human health or the environment in accordance with Minn. R. 7035.2595.

1.6.9 Emergency Procedures

1.6.10 The permittee must take all reasonable containment measures during an emergency and submit a written report to the commissioner in accordance with Minn. R. 7035.2605.

1.7 Closure Criteria

1.7.1 Facility Closure

1.7.2 The permittee must close each waste activity, or the entire facility as appropriate, as specified in the approved plans and specifications, and in accordance with Minn. R. 7035.2625.

1.7.3 Closure Procedures

1.7.4 The permittee must perform closure for each waste activity as specified in the approved plans and specifications, and in accordance with Minn. R. 7035.2635.

1.7.5 The permittee must complete closure activities for the waste activity area in accordance with the closure plan within 180 days following the beginning of closure as specified in the closure procedures above.

1.8 Postclosure Criteria

1.8.1 Postclosure Plan

1.8.2 The permittee must comply with postclosure requirements as specified in the approved plans and specifications, and in accordance with Minn. R. 7035.2645.

1.8.3 Postclosure Care

DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT
TOTAL FACILITY

Postclosure Criteria

- 1.8.4 The permittee must perform postclosure care for each waste activity as specified in the approved plans and specifications, and in accordance with Minn. R. 7035.2655, subp. 1.

1.8.5 Postclosure Use of Property

- 1.8.6 The permittee must comply with postclosure use of property requirements in accordance with Minn. R. 7035.2655, subp. 2.

1.9 Financial Criteria

1.9.1 Cost Estimates

- 1.9.2 The permittee must keep the current cost estimates for each waste activity at the facility during the operating life in accordance with Minn. R. 7035.2685, subp. 2.

1.10 General Conditions

1.10.1 Release

- 1.10.2 The MPCA's issuance of a permit does not release the permittee from any liability, penalty, or duty imposed by Minnesota or federal statutes, or regulations, or local ordinances including, but not limited to, those promulgated pursuant to Minn. Stat. chs. 115, 115A, 116, 400 and 473. This permit shall be permissive only and shall not be construed as estopping or limiting any claims against the permittee, its agents, contractors, or assigns, nor as estopping or limiting any legal claims of the state against the permittee, its agents, contractors, or assigns for damages to state property, or for any violation of the terms of this permit.

1.10.3 Future Changes

- 1.10.4 The MPCA's issuance of a permit does not prevent the future adoption by the MPCA of pollution control rules, standards, or enforcement orders more stringent than those now in existence and does not prevent the enforcement of these rules, standards, or enforcement orders against the permittee.

1.10.5 Rights and Privilege

- 1.10.6 The permit does not convey a property right or an exclusive privilege.

1.10.7 Enforcement

- 1.10.8 The MPCA's issuance of a permit does not obligate the MPCA to enforce local laws, rules or plans beyond that authorized by Minnesota Statutes.

1.10.9 Performance

- 1.10.10 The permittee shall perform the actions or conduct the activity authorized by the permit in accordance with the submittals and specifications approved by the MPCA and in compliance with the conditions of the permit.

1.10.11 Operation and Maintenance

DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT
TOTAL FACILITY

General Conditions

1.10.12 The permittee shall at all times properly operate and maintain the facilities and systems of treatment and control and the appurtenances related to them which are installed or used by the permittee to achieve compliance with the conditions of the permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. The permittee shall install and maintain appropriate backup or auxiliary facilities if they are necessary to achieve compliance with the conditions of the permit and, for all permits other than hazardous waste facility permits, if these backup or auxiliary facilities are technically and economically feasible.

1.10.13 Honesty

1.10.14 The permittee may not knowingly make a false or misleading statement, representation, or certification in a record, report, plan, or other document required to be submitted to the MPCA or the commissioner by the permit. The permittee shall immediately upon discovery report to the commissioner an error or omission in these records, reports, submittals or other documents.

1.10.15 Timely Information Submittal

1.10.16 The permittee shall, when requested by the commissioner, submit within a reasonable time the information and reports that are relevant to the control of pollution regarding the construction, modification, or operation of the facility covered by the permit or regarding the conduct of the activity covered by the permit.

1.10.17 Access

1.10.18 When authorized by Minn. Stat. 115.04, 115B.17, subd. 4 and 116.091, and upon presentation of proper credentials, the MPCA, or an authorized employee or agent of the MPCA, shall be allowed by the permittee to enter at reasonable times upon the property of the permittee to examine and copy books, papers, records, or memoranda pertaining to the construction, modification, or operation of the facility covered by the permit or pertaining to the activity covered by the permit; and to conduct surveys and investigations, including sampling or monitoring, pertaining to the construction, modification, or operation of the facility covered by the permit or pertaining to the activity covered by the permit.

1.10.19 Discovery of Noncompliance

1.10.20 If the permittee discovers, through any means, including notification by the MPCA, that noncompliance with a condition of the permit has occurred, the permittee shall take all reasonable steps to minimize the adverse impacts on human health, public drinking water supplies, or the environment resulting from the noncompliance.

1.10.21 Notification of Noncompliance Involving an Imminent Threat

DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT
TOTAL FACILITY

General Conditions

1.10.22 If the permittee discovers that noncompliance with a condition of the permit has occurred which could endanger human health, public drinking water supplies, or the environment, the permittee shall, within 24 hours of the discovery of the noncompliance, orally notify the commissioner. Within five (5) days of the discovery of the noncompliance, the permittee shall submit to the commissioner a written description of the noncompliance; the cause of the noncompliance; the exact dates of the period of the noncompliance; if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.

1.10.23 Reporting of Noncompliance

1.10.24 The permittee shall report noncompliance with the permit not reported in the Notification of Noncompliance subheading above by submitting the information listed in Notification of Noncompliance within 30 days of the discovery of the noncompliance.

1.10.25 Alterations

1.10.26 The permittee shall give advance notice to the commissioner as soon as possible of planned physical alterations or additions to the permitted facility or activity that may result in noncompliance with a Minnesota or federal pollution control statute or rule or condition of the permit.

1.10.27 Transferability

1.10.28 The permit is not transferable to any person without the express written approval of the MPCA after compliance with the requirements of Minn. R. 7001.0190. A person to whom the permit has been transferred shall comply with the conditions of the permit.

1.10.29 Responsibility for Damage

1.10.30 The permit authorizes the permittee to perform the activities described in the permit under the conditions of the permit. In issuing the permit, the state and MPCA assume no responsibility for damage to persons, property, or the environment caused by the activities of the permittee in the conduct of its actions, including those activities authorized, directed, or undertaken under the permit. To the extent the state and MPCA may be liable for the activities of its employees, that liability is explicitly limited to that provided in the Tort Claims Act, Minn. Stat. 3.736.

1.10.31 Modifying or Revoking Permit

1.10.32 The commissioner may commence proceedings to modify or revoke this permit during its terms if cause exists under Minn. R. 7001.0170 to 7001.0180.

1.10.33 Severability

1.10.34 The provisions of this permit are severable. If any provision of this permit is held invalid, the remainder of this permit shall not be affected.

1.10.35 Extensions

DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT
TOTAL FACILITY

General Conditions

- 1.10.36 The permittee may request an extension of the dates set forth in this permit including the submittal and monitoring dates. The request must include justification for requesting the extension of the date. Based on the justification, the commissioner may grant an extension.

1.10.37 Term of Permit

- 1.10.38 This permit is valid until the expiration date unless revoked or modified by the MPCA pursuant to Minn. R. 7001.0170 to 7001.0180. To allow for adequate MPCA review time and to avoid possible termination of the permit at the time the permit expires, an application for reissuance of the permit must be submitted no later than 180 calendar days before the expiration date of the permit.

1.10.39 Retention of Records

- 1.10.40 The permittee must maintain records of all groundwater monitoring data and groundwater surface elevations for the active life of the facility and each waste activity and, for disposal activities, for the postclosure care period. The permittee must also maintain an operating record in accordance with Minn. R. 7035.2575 until closure of each waste activity at the facility.

1.10.41 As-built Plans

- 1.10.42 The permittee may not start treatment, storage, or disposal of solid waste in a new solid waste management facility or in a modified portion of an existing solid waste management facility until the commissioner has received a letter and as-built plans signed by the owner or operator and by an engineer registered in Minnesota certifying that the facility or modified portion of the facility has been constructed in compliance with the conditions of the permit.

1.10.43 Construction Certification

- 1.10.44 The permittee may not start treatment, storage, or disposal of solid waste in a new solid waste management facility or in a modified portion of an existing solid waste management facility until the commissioner has inspected the new facility or modified portion of the facility and has provided the owner or operator with a letter stating that the certification submitted is complete and approved.

1.10.45 Financial Assurance

- 1.10.46 The permittee may not start treatment, storage, or disposal of solid waste in a new solid waste management facility or in a modified portion of an existing solid waste management facility until the commissioner has approved the financial assurance amount and instrument to be used for the facility in accordance with Minn. R. 7035.2665 to 7035.2805.

1.11 Specific Conditions

- 1.11.1 The facility must install equipment to monitor wind conditions (speed and direction) on site.

DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT

TOTAL FACILITY

Specific Conditions

- 1.11.2 The facility must use appropriate methods to ensure fugitive dust does not leave the property boundary. Methods used to control dust may include: wetting compost windrows, turning windrows and screening compost when wind conditions are not excessive, planting and maintaining trees around the facility, installing a fence that contains screening, etc.

DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT

2. SOLID WASTE COMPOSTING AREA MC 001

2.1 Design and Construction Criteria

2.1.1 Construction Requirements

2.1.2 The permittee must construct the solid waste composting area in accordance with the approved plans and specifications.

2.1.3 Design Requirements

2.1.4 The permittee must design any proposed future expansions or modifications of the solid waste compost area in accordance with this permit and the design requirements outlined in Minn. R. 7035.2836, subp. 4.

2.2 Operating and Maintenance Criteria

2.2.1 Solid Waste Management

2.2.2 The permittee must confine all wastes delivered to the composting area to a designated delivery area, and must operate and maintain the area in accordance with Minn. R. 7035.2836, subp. 5.. The permittee must process or remove all wastes at least once per week to prevent nuisances.

2.2.3 Particulate Matter

2.2.4 The permittee must cover or otherwise manage the waste to control wind dispersion of any particulate matter.

2.2.5 Periodic Turning

2.2.6 The permittee must turn or mix all material being composted on a regular basis in accordance with one of the processing methods identified in Minn. R. 7035.2836, subp. 5, item I. The permittee must maintain aerobic conditions and proper temperatures in order to reduce pathogens.

2.2.7 Record of Temperature and Retention Time

2.2.8 The permittee must comply with the approved monitoring, sampling and testing plan as specified in the approved plans and specifications, and in accordance with the sampling and testing requirements listed in Minn. R. 7035.2836, subp. 5, item J. The permittee must record all composting data on a daily basis.

2.2.9 Leachate Management

2.2.10 The permittee must manage all leachate in accordance with the approved Leachate Management Plan, and in accordance with Minn. R. 7035.2836, subp. 5, item F.

2.2.11 Surface Water Management

2.2.12 The permittee must divert surface water around and away from the compost operating area. The permittee must operate and maintain the drainage control system in accordance Minn. 7035.2855, subp. 3, items C to E.

2.2.13 Compost Classification

2.2.14 The permittee must classify the compost being produced in accordance with the criteria identified in Minn. R. 7035.2836, subp. 6.

2.2.15 Compost Distribution and End Use

DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT
SOLID WASTE COMPOSTING AREA MC 001

Operating and Maintenance Criteria

2.2.16 The permittee must comply with the approved compost distribution plan as specified in the approved plans and specifications, and in accordance with the distribution and end use requirements outlined in Minn. R. 7035.2836, subp. 7.

2.2.17 Salvageable and Recyclable Materials

2.2.18 The permittee must containerize, or store and remove from the facility, all salvageable or recyclable materials in a manner that prevents nuisances such as odors, vector intrusion and aesthetic degradation.

2.2.19 Residual Materials

2.2.20 The permittee must store all compost residuals in a manner that prevents nuisances such as odors or vector intrusion. The permittee must remove all compost residuals at least once per week.

2.3 Reporting Criteria

2.3.1 Annual Waste Activity Report

2.3.2 The permittee must submit an annual report by March 1 of each year in accordance with the reporting requirements identified in Minn. R. 7035.2585 and with the date and reporting requirements identified in Minn. R. 7035.2836, subp. 5, item K. The permittee shall submit the report to the commissioner, as part of the annual facility report, according to the schedule in the Required Actions and Submittals Table(s) of this permit.

2.4 Financial Criteria

2.4.1 Financial Assurance

2.4.2 The permittee shall establish and maintain financial assurance in accordance with Minn. R. 7035.2665 to 7035.2805.

Waste Capacity Table

Report Date: 05/09/2012
Facility: Full Circle Organics - Good Thunder Comp
Permit SW-662
Action: PER001

<i>DRAFT</i>		<i>DRAFT</i>	<i>DRAFT</i>	<i>DRAFT</i>	<i>DRAFT</i>	<i>DRAFT</i>	<i>DRAFT</i>	<i>DRAFT</i>	
WA ID	Waste Activity Type	Status	Permitted Area	Units	Permitted Capacity	Units	Design Capacity	Units	Comments
MC001	Solid Waste Composting Area	Open	10.00	acres	110.00	tons/day	110.00	tons/day	110 t/d for SSO's. Facility will also receive unlimited quantity of yard/wood waste for blending purposes.
					25,000.00	tons/year	25,000.00	tons/year	

Required Actions and Submittals Table

Report Date: 05/09/2012

Facility: Full Circle Organics - Good Thunder Composting

Permit SW-662

Action: PER001

DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT

Subject Item I.D. Total Facility

Required Actions/Submittals

Frequency/Due Date	Action or Submittal	Requirement
TBD	Submit Permit Application	To allow for adequate MPCA review time and to avoid possible termination of the permit at the time the permit expires, an application for reissuance of the permit must be submitted to the Commissioner no later than 180 calendar days before the expiration date of the permit.

Subject Item I.D. MC001

Required Actions/Submittals

Frequency/Due Date	Action or Submittal	Requirement
Annually	Submit Annual Waste Activity Report	An annual waste activity report for the solid waste composting area must be submitted by February 1 with the annual report. The report must include the specific items identified in Minn. R. 7035.2585 and 7035.2836, subp. 5, item K.